

## **IC 25-20.2-5**

### **Chapter 5. Licensing Requirements**

#### **IC 25-20.2-5-1**

##### **License required**

Sec. 1. Unless exempt under this article, a person may not conduct a home inspection for compensation without first obtaining a license as a home inspector.

*As added by P.L.145-2003, SEC.7.*

#### **IC 25-20.2-5-2**

##### **Licensing requirements**

Sec. 2. (a) An individual who applies for a license as a home inspector must do the following:

(1) Furnish evidence satisfactory to the board showing that the individual:

- (A) is at least eighteen (18) years of age;
- (B) has graduated from high school or earned an Indiana general educational development (GED) diploma; and
- (C) has not been:
  - (i) convicted of an act that would constitute a ground for disciplinary sanction under IC 25-1-11;
  - (ii) convicted of a crime that has a direct bearing on the individual's ability to perform competently and fully as a licensee;
  - (iii) listed on a national or state registry of sex offenders;or
- (iv) the subject of a disciplinary or enforcement action by another state or a local jurisdiction in connection with the performance of home inspections or the licensing or certification of home inspectors.

(2) Verify the information submitted on the application form.

(3) Complete a board approved training program or course of study involving the performance of home inspections and the preparation of home inspection reports and pass an examination prescribed or approved by the board.

(4) Submit to the board a certificate of insurance or other evidence of financial responsibility that is acceptable to the board and that:

- (A) is issued by an insurance company or other legal entity authorized to transact business in Indiana;
- (B) provides for general liability coverage of at least one hundred thousand dollars (\$100,000);
- (C) lists the state as an additional insured;
- (D) states that cancellation and nonrenewal of the underlying policy or other evidence of financial responsibility is not effective until the board receives at least ten (10) days prior written notice of the cancellation or nonrenewal; and
- (E) contains any other terms and conditions established by the board.

(5) Pay a licensing fee established by the board.

(b) An individual applying for a license as a home inspector must apply on a form prescribed and provided by the board.

*As added by P.L.145-2003, SEC.7.*

### **IC 25-20.2-5-3**

#### **Waiver of licensing requirements**

Sec. 3. (a) The other licensing requirements of this chapter may be waived for an individual moving to Indiana from another jurisdiction, and the individual may be granted a license as a home inspector if the individual meets the following requirements:

(1) The other jurisdiction grants the same privileges to licensees of Indiana as Indiana grants to licensees of that other jurisdiction.

(2) The individual is licensed in the other jurisdiction.

(3) The licensing requirements of the other jurisdiction are substantially similar to the requirements of this article.

(4) The individual states that the individual has studied, is familiar with, and will abide by this article and the rules adopted by the board under this article.

(b) An individual seeking a license as a home inspector under this section must:

(1) apply on a form prescribed and provided by the board; and

(2) pay the applicable licensing fee established by the board.

*As added by P.L.145-2003, SEC.7.*

### **IC 25-20.2-5-4**

#### **Nonresident licensing requirements; file consent**

Sec. 4. (a) A nonresident whom the board determines meets the requirements of this article and who files the written consent described in subsection (b) may be licensed as a home inspector in Indiana.

(b) A nonresident applicant shall file with the board a written consent stating that, if licensed:

(1) the applicant agrees to the commencement of any action arising out of the conduct of the applicant's business in Indiana in the county in which the events giving rise to the cause of action occurred;

(2) the applicant:

(A) agrees to provide to the board the name and address of an agent to receive service of process in Indiana; or

(B) consents to the board acting as the applicant's agent for the purpose of receiving service of process, if:

(i) an agent's name and address have not been filed with the board; or

(ii) the agent's name and address on file with the board are incorrect; and

(3) the applicant agrees that service of process in accordance with the Indiana Rules of Trial Procedure is proper service and subjects the applicant to the jurisdiction of Indiana courts.

*As added by P.L.145-2003, SEC.7.*

**IC 25-20.2-5-5**

**Licenses property of board**

Sec. 5. All licenses issued by the board remain the property of the board.

*As added by P.L.145-2003, SEC.7.*

**IC 25-20.2-5-6**

**Notification requirement**

Sec. 6. A licensee shall notify the board immediately of any change of:

- (1) name;
- (2) name under which the licensee conducts business; or
- (3) business address.

*As added by P.L.145-2003, SEC.7.*